

STATE OF MINNESOTA
COUNTY OF CARVER

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION

In the Matter of:

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,
Deceased.

**FINDINGS OF FACT, CONCLUSIONS OF
LAW & ORDER REGARDING BRUNTJEN
DOCUMENTS FILED UNDER SEAL**

The above-entitled matter came before the Court without a hearing on the Court's review of prior orders denying parties' motions for filing documents under seal.

Therefore, the Court makes the following:

FINDINGS OF FACT & CONCLUSIONS OF LAW

1. In the Order Denying Motion for Filing Documents under Seal filed April 11, 2017, the Court denied a motion filed by Attorney Justin Bruntjen to file various unredacted documents under seal. The Court ordered:

“The unredacted documents identified as documents 1484, 1485, and 1487 shall be unsealed on May 5, 2017, unless prior to that date Mr. Bruntjen submits redacted versions of those documents consistent with the standard set forth in *Minneapolis Star & Tribune v. Schumacher*, and those redacted documents are found satisfactory to the Court. The redacted document identified as document 1483 which is redacted but was filed under seal shall be unsealed on May 5, 2017 unless good cause is shown to keep it filed under seal.”

The Court further ordered:

“If the party who filed the documents initially does not submit an appropriately redacted version of those documents by May 5, 2017, and if the Court does not feel that the document can be unsealed due to references to confidential business transactions, privileged information, or otherwise should be filed under seal, appropriate sanctions may be imposed upon the filer.”

2. Mr. Bruntjen failed to submit revised redacted versions of the documents in question, necessitating extensive court time to review the documents to determine what redactions, if any, would be necessary consistent with the standard set forth in *Minneapolis Star & Tribune v. Schumacher*.

3. There is no privileged or confidential information in documents 1483, 1484, or 1487 that warrants those documents remaining under seal. It is therefore appropriate that those documents be immediately unsealed by the Court.

4. Document 1485 contains privileged or confidential information relating to specific business negotiations and transactions that, if made public, could be damaging to the Estate. Specifically:

- a. Page 2, paragraph 5 (continuing on page 3), references to dollar amounts and commission percentages;
- b. Page 5, paragraph 19, reference to a dollar amount;
- c. Page 6, items A through J, references to contract provisions; and
- d. Pages 7 and 8, items A through R, references to contract provisions.

This information is confidential under the standard set forth in *Minneapolis Star & Tribune v. Schumacher*.

5. Based upon Mr. Bruntjen's failure to comply with the Court's April 11, 2017 Order and the resultant court time necessary to review his sealed submissions, it is appropriate that sanctions be imposed.

Therefore, based upon the foregoing Findings of Fact and Conclusions of Law, the Court makes the following:

ORDER

1. Mr. Bruntjen's unredacted documents identified as documents 1483, 1484 and 1487 shall be immediately unsealed.

2. Mr. Bruntjen's unredacted document 1485 shall remain sealed, however Mr. Bruntjen shall file a revised redacted version of document 1485 consistent with the Court's findings herein by no later than August 18, 2017.

3. Mr. Bruntjen shall pay to the Court \$1,500.00 by August 18, 2017 as a sanction for failing to comply with the Court's April 11, 2017 Order. If Mr. Bruntjen fails to file a revised redacted version of document 1485 by August 18, 2017, the sanction shall be increased to \$3,000.00, and further sanctions may be assessed.

Dated: July 24, 2017

Kevin W. Eide
Judge of District Court

NOTICE: A true and correct copy of this Order/Notice has been served by EFS upon the parties. Please be advised that orders/notices sent to attorneys are sent to the lead attorney only.